

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

SVB FINANCIAL GROUP,¹

Debtor.

Chapter 11

Case No. 23-10367 (MG)

**ORDER GRANTING SVB FINANCIAL GROUP'S THIRD *EX PARTE*
MOTION FOR ENTRY OF AN ORDER UNDER BANKRUPTCY
CODE SECTION 105 AND FEDERAL RULES OF BANKRUPTCY
PROCEDURE 2004, 9006, AND 9016 AUTHORIZING EXPEDITED DISCOVERY**

Upon the Debtor's *Third Ex Parte Motion for Entry of an Order Pursuant to Bankruptcy Code Section 105 and Federal Rules of Bankruptcy Procedure 2004, 9006, and 9016 Authorizing Expedited Discovery* [Dkt. 660] (the "Motion")²; the Court finding that the notice of the Motion is good and sufficient under the circumstances; the Court having reviewed the Motion and finding good cause to grant the Motion, it is ORDERED:

1. The Motion is granted to the extent provided herein.
2. The Debtor is hereby authorized under Bankruptcy Rule 2004 to demand and compel by way of subpoena: (i) the production of documents from the Discovery Recipients that may be relevant to the Debtor's evaluation of estate claims or causes of action; (ii) the oral examination, under oath, of the Discovery Recipients.
3. The Debtor is hereby authorized to use the following procedures in connection with the Debtor's issuance of any subpoena:

¹ The last four digits of SVB Financial Group's tax identification number are 2278.

² Capitalized terms that are not otherwise defined herein are intended to have the same meaning attributed to them in the Motion.

- a. Except as otherwise agreed by the Debtor, or subsequently ordered by the Court, a party served with a subpoena seeking documents (whether or not it also seeks testimony) is directed, within 21 days of service of such subpoena, to produce all documents responsive to such subpoena or, if the requested documents have already been produced to the UCC, within 7 days of service of such subpoena; .
 - b. Except as otherwise agreed by the Debtor, or subsequently ordered by the Court, if the subpoena so directs, a party may be required to appear for the oral examination within 21 days of service of a deposition subpoena, which notice is deemed to be reasonable;
 - c. If a Discovery Recipient objects to producing documents or appearing for examination, they must file and serve within seven days of service of a subpoena, a motion seeking a protective order, which the Court shall hear on shortened notice, no later than five days from the filing of such motion (subject to the Court's availability); and
 - d. Nothing herein limits the substantive rights of any party under applicable law to object to any subpoena the Debtor may serve.
4. This Court shall retain jurisdiction to resolve any disputes arising or related to this Order including any discovery disputes that may arise between or among the parties and to interpret, implement, and enforce the provisions of this Order.

[Remainder of page intentionally left blank]

IT IS SO ORDERED.

Dated: November 8, 2023
New York, New York

/s/ **Martin Glenn**
MARTIN GLENN
Chief United States Bankruptcy Judge